

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CRIMINAL NO. 15-mj-02397
)	
vs.)	
)	
JACK PATTERSON,)	
)	
Defendant.)	

MOTION TO DISMISS COMPLAINT

The United States of America, by and through Sarah Mease, Assistant United States Attorney, hereby moves the court for an order dismissing the Complaint in Cr. No. 15-mj-2397 (Doc. 2), and as grounds therefore states as follows:

1. Defendant is currently charged by a Complaint filed on July 8, 2015, with violations of 18 U.S.C. §§ 1152 and 1111: Murder. (Doc. 2).
2. The Defendant has waived grand jury presentment (Docs. 16-19), with the most recent filing requesting an additional 60-day waiver expiring on May 8, 2016 (Doc. 19).
3. Additional investigation indicates that there is insufficient evidence to proceed at this time.
4. Accordingly, in the interest of justice, the United States will not proceed with its prosecution and requests that this matter be dismissed without prejudice.
5. Counsel for the defendant, Ian King, has been contacted and concurs with this motion.

WHEREFORE, the United States requests that this motion be granted and that the Court enter an order dismissing the Complaint without prejudice.

Respectfully submitted,

DAMON P. MARTINEZ
United States Attorney

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I hereby certify that the foregoing electronically through the CM/ECF system, which caused counsel for the defendant to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/
SARAH J. MEASE
Assistant United States Attorney